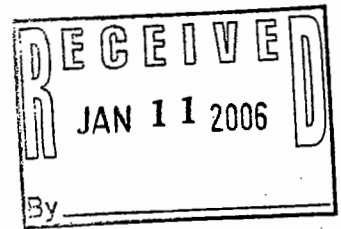


EXHIBIT “1”



**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

CREEDON CONTROLS, INC., a
Delaware corporation,

Plaintiff,

v.

BANC ONE BUILDING CORPORATION, an
Illinois corporation; and FOREST ELECTRIC
CORPORATION, a New York corporation,

Defendants.

Civil Action No. 05-300 JJF

**DEFENDANT BANC ONE BUILDING CORPORATION'S AMENDED
AND SUPPLEMENTAL RESPONSE TO PLAINTIFF'S
SECOND REQUEST FOR PRODUCTION OF DOCUMENTS**

Pursuant to Rules 26 and 34 of the Federal Rules of Civil Procedure and the Local Rules for the United States District Court for the District of Delaware, defendant Banc One Building Corporation ("Banc One") hereby amends and supplements its response to the Second Request for the Production of Documents of plaintiff Creedon Controls, Inc. ("Creedon") dated October 5, 2005 (the "Second Request") as follows:

GENERAL RESPONSES AND OBJECTIONS

A. Banc One objects to the Definitions and Instructions of the Second Request to the extent they seek to impose obligations beyond those imposed pursuant to the Federal Rules of Civil Procedure or the Local Rules for the United States District Court for the District of Delaware.

B. Banc One objects to each and every request to the extent they seek materials prepared in the anticipation of litigation or otherwise call for the disclosure of the

mental impressions, conclusions, opinions and/or legal theories of any attorney for defendants or seek information or documents otherwise protected from discovery under the attorney-client privilege, the work product doctrine, and/or any other applicable privacy, or privilege, immunity or restriction recognized under the law. Any such materials will be appropriately designated in a privilege log, which is being served simultaneously herewith.

C. Banc One objects to each and every request to the extent that it seeks the production of documents or things that is proprietary or otherwise confidential. To the extent that Banc One responds to any such request in whole or in part, such response shall be in accordance with and subject to the terms of an appropriate confidentiality order.

D. Banc One's response to each and every request is made without waiving or intending to waive but rather, to the contrary, preserving and intending to preserve: (1) all objections to the relevance, authenticity or admissibility of any document or thing produced in response to this request and of any information contained therein; (2) the right to object to the use of any such documents or things, including any information contained therein, in any aspect of this action or any other judicial or administrative proceeding or investigation; (3) the right to object at any time to a demand for any further responses to these requests or any other request for the production of documents and things; and (4) the right at any time to supplement or amend this response.

E. The supplying of any document or thing, including any information contained therein, does not constitute an admission by Banc One that such document or thing, including any information contained therein, is relevant, authentic or admissible.

F. Inadvertent disclosure of any information subject to any applicable privilege or doctrine, including but not limited to the attorney-client privilege and the work-

product doctrine, is not intended to be and shall not operate as a waiver of any such privilege or doctrine, in whole or in part, nor is any such inadvertent disclosure intended to be, nor shall it constitute, a waiver of the right to object to any use of such information.

G. Banc One objects to the requests to the extent that they are unreasonably cumulative, duplicative or disproportionate.

H. Discovery in this action is ongoing and Banc One's investigation of its claims and defenses is continuing. Banc One's answers to these requests are based on the facts known to Banc One at this time. Accordingly, Banc One reserves the right to amend, supplement and/or revise these answers as discovery continues and additional information becomes available.

I. Banc One objects to the requests to the extent that they would require Banc One to review back-up tapes and servers for electronic data responsive to plaintiffs' requests. Banc One is in the process of reviewing the computer hard drives in its custody, possession and control for those individuals responsible for supervising the Project for responsive emails and other electronic documents, and will supplement its production with all non-privileged documents responsive to the requests on a rolling basis.

J. The responses are limited to documents in connection with the work performed by plaintiff on the Project.

K. Banc One incorporates the foregoing objections into its specific responses set forth below.

RESPONSES AND OBJECTIONS TO REQUESTS

14. Identify and produce all photographs, videotapes, movies, or other audio or visual depictions of work at the Banc One Core Data Center in Wilmington, Delaware, and not limited to the work or scope of work performed by Plaintiff.

Response and Objections: Banc One objects to this request on the ground that it is seeks discovery beyond the scope of Rule 26 and protected by the attorney/client privilege and work product immunity. Banc One further objects to this request on the ground that it is overbroad, unduly burdensome, and seeks production of documents not reasonably calculated to lead to the discovery of admissible evidence. Subject to those objections and the General Objections, Banc One will produce all photographs, videotapes, movies, or other audio or visual depictions of plaintiff's work in connection with the Project.

15. All communications of any nature, including electronic communications, between either Defendant and Tishman Construction Corp., or any of its subsidiaries or affiliates, and which relate to the Project and/or the Banc One Core Data Center, in Wilmington, Delaware.

Response and Objections: Banc One objects to this request on the ground that it is overbroad, unduly burdensome, and seeks production of documents not reasonably calculated to lead to the discovery of admissible evidence. Subject to those objections and the General Objections, Banc One will produce all communications, including electronic communications as limited by Banc One's objections above, between Defendant and Tishman Construction Corp. (or any of its subsidiaries and affiliates) relating to plaintiff's work on the Project.

16. All communications of any nature whatsoever, including electronic communications, between any Defendant and any local, state, or governmental body or agency,

with respect to the Project and/or the construction of the Banc One Core Data Center, in Wilmington, Delaware.

Response and Objections: Banc One objects to this request on the ground that it is overbroad, unduly burdensome, and seeks production of documents not reasonably calculated to lead to the discovery of admissible evidence. Subject to those objections and the General Objections, Banc One will produce all communications, including electronic communications as limited by Banc One's objections above, between any Defendant and any local, state, or governmental body or agency, with respect to the Project.

17. All other bids by other persons or entities to perform the same or similar scope of work as the bid(s) awarded to Plaintiff, with respect to the Project and/or the Banc One Core Data Center in Wilmington, Delaware.

Response and Objections: Banc One objects to this request on the ground that it seeks discovery beyond the scope of Rule 26 and production of documents not reasonably calculated to lead to the discovery of admissible evidence. Banc One further objects to this request on the ground that it seeks production of documents that are confidential in nature. Subject to those objections and the General Objections, Banc One will produce the bids submitted by those subcontractors who submitted bids on the work packages that comprise the Project at CDC 2, subject to the entry of an appropriate confidentiality order.

18. All other bids by other persons or entities to perform the same or similar scope of work as the bid(s) awarded to Plaintiff, with respect to the Project and/or the Banc One Core Data Center I, in Bear, Delaware.

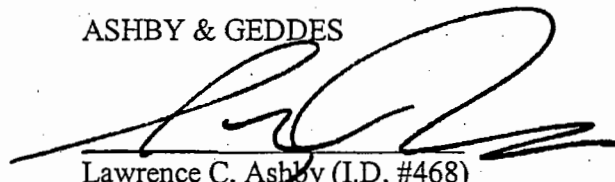
Response and Objections: Banc One objects to this request on the ground that it seeks discovery beyond the scope of Rule 26 and production of documents not reasonably

calculated to lead to the discovery of admissible evidence. Banc One further objects to this request on the ground that it seeks production of documents that are confidential in nature. Subject to those objections and the General Objections, Banc One will produce the bids submitted by those subcontractors who submitted bids on the work packages that comprise the Project at CDC 1, subject to the entry of an appropriate confidentiality order.

19. Any and all pleadings that relate to any litigation now or previously occurring between any defendant and Tishman Construction Corp., or any of its subsidiaries or affiliates, and which relate to the Project and/or the Banc One Core Data Center, in Wilmington, Delaware.

Response and Objections: Banc One objects to this request on the ground that it seeks discovery beyond the scope of Rule 26 and production of documents not reasonably calculated to lead to the discovery of admissible evidence. Subject to those objections and the General Objections, Banc One states that it does not possess any documents responsive to this request.

ASHBY & GEDDES



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Date: January 10, 2006

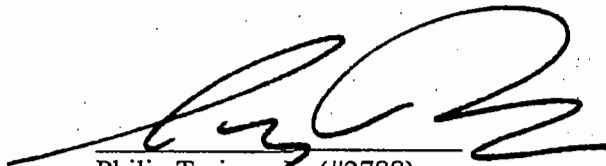
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CERTIFICATE OF SERVICE

I, Philip Trainer, Jr. hereby certify that, on January 10, 2006, I caused a copy of the foregoing Defendant Banc One's Amended and Supplemental Response to Plaintiff's Second Request for Production of Documents to be served upon counsel below via electronic filing.

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